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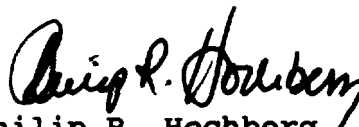
Mr. William Caton
Acting Secretary
Federal Communications Commission
1919 M Street, NW, Room 222
Washington, D.C. 20554

Re: Comments of the National Basketball Association in
MM Docket No. 93-48

Dear Mr. Caton:

Enclosed please find an original and four copies of the above referenced Comments. Should you have any questions regarding this matter, please contact the undersigned counsel.

Sincerely,



Philip R. Hochberg
Counsel for
National Basketball Association

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BEFORE THE

Federal Communications Commission

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In the Matter of)

Policies and Rules Concerning)
Children's Television Programming)

Revision of Programming Policies)
for Television Broadcast Stations)

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

MM Docket No. 93-48

COMMENTS OF THE NATIONAL BASKETBALL ASSOCIATION

The National Basketball Association ("NBA") hereby files these comments in MM Docket No. 93-48, dealing with Policies and Rules Concerning Children's Television Programming.

The NBA is a league of professional basketball teams representing twenty-five major communities in the United States and, starting in the 1995-96 season, two Canadian cities.

Stay In School Program

As a leading supplier of television programming watched by millions of youngsters on the NBC Television Network, Turner Network Television ("TNT") Cable Network, and Superstation WTBS on a league-negotiated level and on dozens of over-the-air television stations and cable regional sports networks on a club level, the NBA and its teams have

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demonstrated a commitment to participate in youth-oriented activities.

To that end, in 1989, the NBA, in cooperation with the National Basketball Players Association, created its Stay In School Program, designed to address the nation's critical high school dropout problem. Since its start as a pilot program, Stay In School has developed into a national initiative utilizing NBA teams and players to urge young people to complete their high school education. Each year, NBA players and coaches visit scores of local schools to spread the Stay In School message.

Even more important in terms of reaching the nation's youth, the NBA produces a series of televised Public Service Announcements ("PSAs") in support of the NBA's Stay In School campaign. The Public Service Announcements feature members of the NBA family¹ encouraging young people to take responsibility for their own education. The PSAs point out that high school "graduation is a short term step towards long term success."

For the 1993-94 season, for example, the PSAs have focused on four major components: (1) students taking responsibility for their own learning; (2) teachers as facilitators of learning; (3) parental responsibility in the

¹Attachment A (reflecting in 1992-93 campaign) indicates 13 different spots featuring 35 players and 3 coaches.

learning process; and (4) community involvement and support for schools. The NBA worked with the National Dropout Prevention Center of Clemson University to develop those themes.² For the 1994-95 season, the NBA also intends to use the Stay In School PSAs as a vehicle to explore the importance of teamwork and non-violent conflict resolution.

The spots come in varying lengths for broadcast use and are featured in all national telecasts and cablecasts, as well as local originations.³

The NBA's Campaign Achieves the Objective of the Children's Television Act

In its passage of the Children's Television Act of 1990,⁴ Congress was particularly concerned that broadcast licensees serve specific needs of children. A principal objective of the Act was to increase the amount of educational and informational broadcast television programming available to them.⁵ Congress directed the Commission to review, at station renewal time, the

²See Attachment B for a broader description of this season's campaign.

³See sample scripts at Attachment C.

⁴P.L. 101-437, 104 Stat. 996, codified at 47 U.S.C. Sections 303(a), 303(b), and 394.

⁵Children's Television Act of 1989, Senate Committee on Commerce, Science, and Transportation, S.Rep. 227, 101st Cong., 1st Sess. 22 (1989).

performance of stations in serving those educational and informational needs.

In fulfilling its mandate under the CTA, the Commission has held that various forms of programming meet the legislative goal. Indeed, the Commission has noted that Congress was more concerned with furthering a child's "intellectual, emotional, and social development,"⁶ than with the form of satisfying those needs. And even though the Commission has held that broadcasters should not be able to satisfy the programming review requirement solely through short-segment programming, the FCC has recognized that the public interest is served by permitting short-segment vignettes and public service announcements, helping meet the licensee's obligation.

One of the Commission's objectives, as stated in 1991, is

to encourage stations, even those with limited resources, to air quality programming that will attract and hold a child audience.⁷

Use of these NBA-produced spots, provided at no cost to broadcasters and cable operators across the country, will go a long way toward meeting that objective. Moreover, the

⁶Report and Order in MM Docket No. 90-570, 6 FCC Rcd. 2111, 2114 (1991), quoting remarks by Senator Inouye at 136 Cong. Rec. S10122 (daily ed. July 19, 1990).

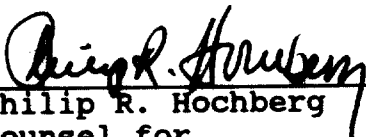
⁷Memorandum Opinion and Order in MM Docket No. 90-570, 6 FCC Rcd. 5093, 5101 (1991).

quality of the PSAs will answer any question that might exist relating to production.

The Commission has recognized that interstitial programming "is well suited to children's short attention span"⁸ The NBA's Stay In School television campaign is particularly well-suited to achieving that goal: it combines the use of familiar sports figures to relate an understandable message to a specific audience in a short time frame.

For the above reasons, the National Basketball Association urges the Commission to re-affirm its corollary commitment to short-form programming as a vehicle to satisfying part of the licensee obligation to the community.

Respectfully submitted,

By: 
Philip R. Hochberg
Counsel for
NATIONAL BASKETBALL ASSOCIATION

⁸Supra note 6 at 2115.

1992-93 STAY IN SCHOOL PEAS

PLAYER APPEARANCES:1) CHICAGO/TECHNIQUE (NBAA-1006)

Bill Cartwright (Bulls)
 B.J. Armstrong (Bulls)
 John Paxson (Bulls)
 Michael Jordan (Bulls)

2) ROUNDER (NBAA-0279)

Tony Hill (Warriors)
 Chris Mullin (Warriors)

3) FRIENDS (NBAA-0336)

Sam Bowie (Nets)
 Wes Unseld (Coach - Bullets)
 Reggie Miller (Pacers)
 John Salley (Pistons)
 Tim Hardaway (Warriors)

4) ATTENDANCE (RECURS) *REVISED* (NBAA-1185)

Karl Malone (Jazz)
 Pat Riley (Knicks - Coach)
 'Doc' Rivers (Knicks)
 Lenny Wilkens (Cavaliers - Coach)

5) ACHIEVEMENT (CAN/CAN'T) (NBAA-1069)

Karl Malone (Jazz)
 'Doc' Rivers (Knicks)
 Kevin McHale (Celtics)
 Kendall Gill (Hornets)

6) ATTITUDE (COOL) (NBAA-1065)

Larry Johnson (Hornets)
 David Robinson (Spurs)
 Terry Porter (Trail Blazers)
 Michael Adams (Bullets)
 Patrick Ewing (Knicks)

7) ATTENDANCE (OPEN THE DOOR) (NEAS-1060)

David Robinson (Spurs)
Brad Daugherty (Cavaliers)
Patrick Swing (Knicks)
Charles Smith (Knicks)
Rolando Blackman (Knicks)
Kevin McHale (Celtics)
Sean Elliott (Spurs)

8) ATTITUDE (SHORT PEOPLE) (NEAS-1064)

Muggsy Bogues (Hornets)
Michael Adams (Bullets)

9) GRADUATION (DREAMS) (NEAS-1209)

Terry Porter (Trail Blazers)
Mark Jackson (Knicks)
Dan Majerle (Suns)
Clyde Drexler (Trail Blazers)
Fervis Ellison (Bullets)
Charles Barkley (Suns)

10) GRADUATION (GOALS) (NEAS-1210)

Wayman Tisdale (Kings)
Mark Jackson (Knicks)
Charles Barkley (Suns)
David Robinson (Spurs)
Pat Riley (Knicks - Coach)
Danny Ainge (Suns)

11) RON HARPER (NEAS-1191)

Ron Harper (Clippers)

12) GRADUATION (MOMENTS) (NEAS-1211)

Kevin Johnson (Suns)
A.C. Green (Lakers)
David Robinson (Spurs)
Wes Unseld (Coach - Bullets)
Harvey Grant (Bullets)
Hersey Hawkins (76ers)
Danny Ainge (Suns)

13) GRADUATION (STRUGGLE) (NEAS-1212)

Kevin Johnson (Suns)
Reggie Miller (Pacers)
Wes Unseld (Coach - Bullets)

NBA Stay In School Program Four Major Components

1. Student responsibility for own learning

Students who clearly accept personal responsibility for their own learning and behavior not only have greater immediate achievements; they also develop the capacity for lifelong learning opportunities.

- Setting goals with high expectations
- Developing good study habits
- Completing homework
- Participating actively in school
- Participating in setting school rules
- Learning to work with others in groups
- Developing positive social skills
- Learning to deal with conflict situations or relationships
- Recognizing damaging influences on self/behavior
- Becoming a part of the community through service learning

2. Teachers as facilitators of learning

Recent research indicates that teachers are most effective when they work as facilitators of the learning environment and learning process. It is crucial that teachers develop their roles as facilitators of learning, thus giving students the opportunity to become responsible for their own learning.

- Having high expectations for students
- Setting high standards for performance
- Adapting to students' learning styles
- Teaching to multiple intelligences
- Using active instructional strategies
- Relating content to students' experiences
- Integrating curriculum areas
- Becoming leaders in school and district; helping students gain leadership skills
- Creating a caring classroom, school, and community environment
- Understanding and respecting the cultural background of each student

3. Parents' responsibility in the learning process

Parents' active participation in their child's education is closely correlated with success in school. Therefore, by emphasizing the importance of parental and community support for education, the Stay in School message will reinforce the need for a positive learning atmosphere.

- **Creating a positive home environment for learning**
- **Having high expectations**
- **Being responsive to students' questions**
- **Keeping in touch with students' teacher**
- **Visiting the school and classrooms**
- **Responding to communications from the school or teacher**
- **Serving on advisory councils**
- **Demonstrating the value of education through personal continuing education**
- **Modeling community service**
- **Serving as a mentor for other students**

4. Community involvement and support for schools

It has been well documented that when community and corporate leaders become actively involved in the schooling process through partnerships and other activities, education is substantially enhanced. Community support helps to also raise expectations of students, teachers and community leaders.

- **Developing partnerships among schools, businesses, and social service agencies**
- **Having high expectations for the community's schools and students**
- **Accepting community responsibility for student's out-of-school behavior**
- **Establishing out-of-school activities for students and teachers**
- **Becoming boosters of education through advertising**
- **Providing incentives for students to raise achievement, etc.**
- **Implementing mentoring programs**
- **Developing career-shadowing programs**
- **Providing career awareness activities for students**
- **Demonstrating support for employees' continuing education and involvement in children's education**

MARK JACKSON'S DAD SPOT

VIDEO

A crane shot slowly drifts down as we follow Mark Jackson's dad walking alone in a high school gym. The shot opens with a graphic that states; BISHOP LOUGHLIN HIGH SCHOOL BROOKLYN, NEW YORK

Pro footage of Mark playing with the Knicks and Clippers is intercut at that point and is visual effected.

Mark's dad continues to walk and reflect. The crane shot moves closer.

Frenzy high school fans are shown with effected video.

Mark's dad begins to halt his walk.

Mark's dad stops and looks at camera which is tight on him.

Stay in School logo

Mark's dad looking around reflecting.

AUDIO

A lot people ask me, being Mark Jackson's father, if I have one moment I'm most proud of ...

(Crowd and court noise is added to the music.)

And they're usually surprised when I tell them it took place when he was in high school

(High school crowd noise.)

And, that it had nothing to do with basketball.

My proudest moment as a parent was when Mark received his high school diploma in this gym.

(effected audio)
Mark A. Jackson

That was a great day!

BOB LANIER SPOT

VIDEO

Bob Lanier walking down
the steps of an empty
auditorium.

Lanier action footage.

Lanier walks out on
stage of auditorium.

Footage of Bob delivering
his PRIDE message.

Bob direct to camera.

Stay in School logo

Bob on camera.

AUDIO

I was an NBA
All star for 8
seasons. One thing
I learned is that
no one can do it
alone.

(music, crowd,
and court noise
under.)

Today, as the NBA
Stay in School
chairman, I travel
throughout the
country promoting the
value of education,
and I still know it's
a team effort.

(sound full of
message)

You don't have to
be a hall of famer
to make a difference
when it comes to
education. We need
everyone in the game
to help America's
schools.

Because it's
everyone's best move.